

REMARKS

Claims 1-20 are pending. Claims 1, 8, 11, 12, 14, and 15 have been amended. No new matter has been added.

Claim Rejections – 35 USC §112

Claims 12 and 14

In paragraph 3 of the Office Action, Claims 12 and 14 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particular point out and distinctly claim the subject matter which applicant regards as the invention. Claims 12 and 14 have been amended to provide proper antecedent basis. Therefore, Applicants believe that this rejection has been overcome.

102(b) Rejection

Claims 1, 3-7, 15, 17, and 19-20

In paragraph 6 of the Office Action, Claims 1, 3-7, 15, 17, and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Webster (USPN 5, 307,351). The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in amended independent Claims 1, 8, and 15 is not anticipated nor suggested by Webster.

The independent Claims 1, 8, and 15 have been amended to recite “wherein said transmission channel quality is assessed recursively using a Kalman filter.” The Office Action states in paragraph 17 that “Webster does not specifically disclose the use of a Kalman filter to predict the optimum length of the frame.” Applicants respectfully agree that “Webster does not specifically disclose the use of a Kalman filter to predict the optimum length of the frame.” Therefore, Webster does not teach or suggest “wherein said transmission channel quality is assessed recursively using a Kalman filter” as recited by the amended independent Claims 1, 8, and 15.

Therefore, Applicants respectfully submit that Webster does not teach nor render obvious amended independent Claims 1, 8, and 15. Claims 2-7 depend on Claim 1 and recite additional limitations. Claims 9-14 depend on Claim 8. Claims 16-20 depend on Claim 15. Therefore, Applicants respectfully submit that the basis for rejecting Claims 2-7, 9-14, and 16-20 under 35 U.S.C. § 102(b) is overcome.

103(a) Rejections

Claims 2, 8-12, and 16

In paragraph 14 of the Office Action, Claims 2, 8-12, and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Webster in view of Johnson et al. (USPN 6,463,074). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in the amended independent Claims 8 and 15 is not anticipated nor rendered obvious by Webster and Johnson, alone or in combination.

Applicants respectfully submit that Johnson does not overcome the shortcomings of Webster, in that Johnson does not teach or suggest “wherein said transmission channel quality is assessed recursively using a Kalman filter,” as recited by independent Claims 1, 8, and 15. Because Claim 2 depends on Claim 1 and recites additional limitations that are patentably distinguishable over Webster and Johnson (alone or in combination), Claim 2 is also considered patentable over Webster and Johnson. Because Claims 9-12 depend on Claim 8 and recite additional limitations that are patentably distinguishable over Webster and Johnson (alone or in combination), Claims 9-12 are also considered patentable over Webster and Johnson (alone or in combination). Because Claim 16 depends on Claim 15 and recites additional limitations that are patentably distinguishable over Webster and Johnson (alone or in combination), Claim 16 is also considered patentable over Webster and Johnson (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 2, 8-12, and 16 under 35 U.S.C. § 103(a) is overcome.

Claims 8-12, and 16

In paragraph 16 of the Office Action, Claims 8-12 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Webster in view of Dziong (USPN 6,625,155). The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in Claims 8-12, and 16 is not anticipated nor rendered obvious by Webster and Dziong, alone or in combination.

Amended independent Claims 8 and 15 recite “wherein said transmission channel quality is assessed recursively using a Kalman filter.” In contrast, Dziong teaches in the abstract “Tuning for connection admission control (CAC) algorithms ... using an overbooking technique based on aggregate effective bandwidth ...” Dziong further teaches an algorithm for the overbooking gain that uses a cell rate mean (M) and a cell rate variance (V) in equation (1) at Col. 2, lines 40-41. Dziong also teaches at Col. 2 lines 48-53, “The well-known Kalman filtering techniques are advantageously applied to optimally estimate M and V based on measurements and declarations.” At Col. 4, lines 61 to Col. 5, line 11 Dziong describes the variables that he uses. Dziong does not teach anywhere the use of channel transmission quality. Therefore, Dziong teaches using Kalman filtering techniques to

estimate a mean and a variance rather than using a Kalman filter to recursively assess channel transmission quality as recited by amended independent Claims 8 and 15.

Applicants respectfully submit that Dziong does not overcome the shortcomings of Webster. Therefore, Applicant respectfully submits that Webster and Dziong, alone or in combination, do not show nor suggest "wherein said transmission channel quality is assessed recursively using a Kalman filter" as recited in independent Claims 8 and 15, and that these claims are considered patentable over Webster and Dziong (alone or in combination). Because Claims 9-12 and Claim 16 depend respectively on Claims 8 and 15 and contain additional limitations that are patentably distinguishable over Webster and Dziong (alone or in combination), these claims are also considered patentable over Webster and Dziong (alone or in combination). Therefore, Applicant respectfully submits that the basis for rejecting Claims 8-12 and 16 under 35 U.S.C. § 103(a) is overcome.

Conclusions

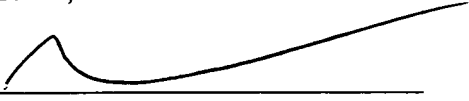
In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-20 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
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